

UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address)

the Cellular Telephone Assigned
 Call Number 707-513-6475

)
)
)
)
)
)

Case No. 13-m-567

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Eastern District of Wisconsin
 (identify the person or describe the property to be searched and give its location):
 See Attachment A.

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):
 See Attachment B.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before

October 31, 2013
 (not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10 p.m.☒ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge William E. Callahan, Jr.

(name)

☒ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☒ for 30 days (not to exceed 30).

☐ until, the facts justifying, the later specific date of _____

Date and time issued: October 17, 2013
at 12:05 PM

William E. Callahan, Jr.
 Judge's signature

City and state: Milwaukee, Wisconsin

William E. Callahan, Jr., U.S. Magistrate Judge

Printed name and title

| | | |
|--|---------------------------------|--|
| Return <i>(See Attachment)</i> | | |
| Case No.: | Date and time warrant executed: | Copy of warrant and inventory left with: |
| <i>Inventory made in the presence of:</i> | | |
| <i>Inventory of the property taken and name of any person(s) seized:</i> | | |
| | | |
| Certification | | |
| <p><i>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</i></p> <p>Date: _____</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>_____</p> <p>_____</p> </div> <div style="width: 50%;"> <p>_____</p> <p>_____</p> </div> </div> <p>Subscribed, sworn to, and returned before me this date:</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>_____</p> </div> <div style="width: 50%;"> <p>Date: _____</p> </div> </div> | | |

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

IN THE MATTER OF THE APPLICATION
OF THE UNITED STATES OF AMERICA
FOR A WARRANT AUTHORIZING
DISCLOSURE OF DATA RELATING TO
A SPECIFIED CELLULAR TELEPHONE

Mag. No. 13-M-567

RETURN AFFIDAVIT

Marshall S. Hermann, being duly sworn, deposes and says:

1. I am a Detective with the Ozaukee County Sheriff's Department. I have been a Detective for 11 years. I am also deputized as a federal task force agent with the United States Department of Justice, Drug Enforcement Administration (DEA).

2. The following is based on first-hand knowledge and on information provided by other law enforcement agents involved in this investigation.

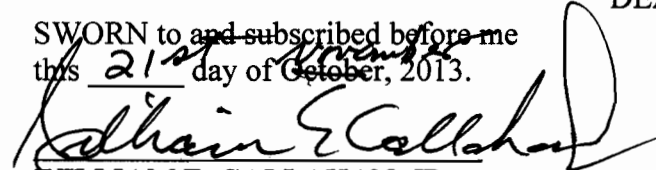
3. In an order issued on October 17, 2013, this Court authorized agents to monitor cell-site and/or GPS activations on a real time basis for a Verizon Wireless cellular telephone assigned mobile identification number 707-516-6475.

4. Agents began monitoring the cell-site activations on October 18, 2013. During the monitoring period, case agents were able to track the general location of the target telephone, which aided in the investigation of the target. The monitoring ceased on October 18, 2013.

I declare under penalty of perjury that the foregoing is true and correct.


MARSHALL S. HERMANN
DEA Task Force Agent

SWORN to and subscribed before me
this 21st day of November, 2013.


WILLIAM E. CALLAHAN, JR.
United States Magistrate Judge

ATTACHMENT A

Property to Be Searched

1. The cellular telephone assigned call number 707-513-6475, (the "Target Telephone"), whose wireless service provider is Verizon Wireless, a company headquartered at 180 Washington Valley Road Bedminster, NJ. 07921.
2. Information about the location of the Target Telephone that is within the possession, custody, or control of Verizon Wireless including information about the location of the cellular telephone if it is subsequently assigned a different call number.

ATTACHMENT B

Particular Things to be Seized

All information about the location of the Target Telephone described in Attachment A for a period of forty-five days, during all times of day and night. “Information about the location of the Target Telephone” includes all available E-911 Phase II data, GPS data, latitude-longitude data, and other precise location information, as well as all data about which “cell towers” (i.e., antenna towers covering specific geographic areas) and “sectors” (i.e., faces of the towers) received a radio signal from the cellular telephone described in Attachment A.

To the extent that the information described in the previous paragraph (hereinafter, “Location Information”) is within the possession, custody, or control of Verizon Wireless, Verizon Wireless is required to disclose the Location Information to the government. In addition, Verizon Wireless must furnish the government all information, facilities, and technical assistance necessary to accomplish the collection of the Location Information unobtrusively and with a minimum of interference with Verizon Wireless’ services, including by initiating a signal to determine the location of the Target Telephone on Verizon Wireless’ network or with such other reference points as may be reasonably available, and at such intervals and times directed by the government. The government shall compensate Verizon Wireless for reasonable expenses incurred in furnishing such facilities or assistance.

This warrant does not authorize the seizure of any tangible property. In approving this warrant, the Court finds reasonable necessity for the seizure of the Location Information. *See* 18 U.S.C. § 3103a(b)(2).